



**TO:** Ra-Jjcus Ldsop  
Johnson & Johnson  
1 Johnson and Johnson Plz  
New Brunswick, NJ 08933-0002

**RE:** **Process Served in Florida**

**FOR:** Depuy Orthopaedics, Inc. (Former Name) (Domestic State: IN)  
Medical Device Business Services, Inc. (True Name)

**Service of Process**

**Transmittal**

11/05/2021

CT Log Number 540541183

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Re: Mary Robbins // To: Medical Device Business Services, Inc.

**DOCUMENT(S) SERVED:** Summons, Complaint, Affidavit

**COURT/AGENCY:** St. Clair County Circuit Court, IL  
Case # 21L0975

**NATURE OF ACTION:** Product Liability Litigation - Personal Injury - Knee Replacement Implant

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Plantation, FL

**DATE AND HOUR OF SERVICE:** By Process Server on 11/05/2021 at 12:08

**JURISDICTION SERVED :** Florida

**APPEARANCE OR ANSWER DUE:** Within 30 days after service, not counting the day of service

**ATTORNEY(S) / SENDER(S):** James E. Radcliffe  
Law Office of Christopher Cueto, Ltd.  
7110 West Main Street  
Belleville, IL 62223  
618-277-1554

**ACTION ITEMS:** CT has retained the current log, Retain Date: 11/05/2021, Expected Purge Date:  
11/10/2021  
  
Image SOP  
  
Email Notification, Ra-Jjcus Ldsop RA-JJCUS-LDSOP@its.jnj.com  
  
Email Notification, Janet Lucas Jlucas14@its.jnj.com

**REGISTERED AGENT ADDRESS:** C T Corporation System  
1200 South Pine Island Road  
Plantation, FL 33324  
  
855-844-0739  
ServiceSolutionsTeam@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



## PROCESS SERVER DELIVERY DETAILS

**Date:** Fri, Nov 5, 2021

**Server Name:** Jamie McPartland

Entity Served	Depuy Orthopaedics, inc
Case Number	21L0975
Jurisdiction	FL



IN THE CIRCUIT COURT OF  
THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

MARY ROBBINS;

Plaintiff,

vs.

DEPUY ORTHOPAEDICS, INC.

Defendant.

)

)

Case No. 21L0975

)

)

DATE:  
HOUR:  
DEPUTY SHERIFF

11-5-2021

1120

JDA/10465

SUMMONS

To Defendant: Depuy Orthopaedics  
CT Corporation System  
1200 South Pine Island Road  
Plantation, FL 33324

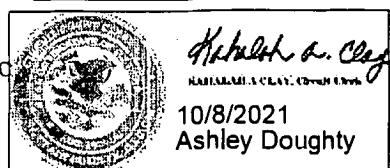
You are summoned and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To efile, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

To the officer: This summons must be returned by the officer or other person to whom it was given for service, with indorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. This summons may not be served later than 30 days after its date.

Witness \_\_\_\_\_

(Seal of \_\_\_\_\_)



Clerk of Court

Plaintiff's Attorney:

James E. Radcliffe, IL 6330315  
Law Office of Christopher Cueto, Ltd.  
7110 West Main Street  
Belleville, IL 62223  
Phone: (618) 277-1554  
Fax: (618) 277-0962  
jradcliffe@cuetolaw.com

Date of service \_\_\_\_\_, 20\_\_\_\_\_  
(to be inserted by officer on copy left with defendant or other person).

Electronically Filed  
Kahalah A. Clay  
Circuit Clerk  
Ashley Doughty  
21L0975  
St. Clair County  
10/7/2021 4:01 PM  
15126312

IN THE CIRCUIT COURT OF  
THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS

MARY ROBBINS; )  
Plaintiff, ) Case No. 21L0975  
vs. )  
DEPUY ORTHOPAEDICS, INC. )  
Defendant. )

11-5-2021  
DATE: 11/20  
HOUR:  
DEPUTY SHERIFF  
JOSHUA D. WILSON

COMPLAINT

Plaintiff, MARY ROBBINS, by and through her undersigned counsel, and for her Complaint against Defendant, DEPUY ORTHOPAEDICS, INC., states as follows:

**PARTIES**

1. Plaintiff Mary Robbins is, and at all times relevant to this Complaint was, an adult resident of St. Clair County, Illinois.
2. Defendant Depuy Orthopaedics, Inc. ("Depuy") is, and at all times relevant to this Complaint was, a For-Profit Domestic Corporation duly organized and incorporated under the laws of the State of Indiana, authorized to do in Illinois and Missouri.
3. Depuy manufactured and distributed orthopedic products for use in knee replacement surgeries, including the Depuy Attune Knee.
4. On October 24, 2017, Plaintiff underwent a surgical procedure known as a right total knee arthroplasty.
5. Plaintiff's surgeon, Lyndon Gross, MD, performed the right knee arthroplasty utilizing the knee components manufactured and distributed by Depuy.
6. Months after surgery, Plaintiff reported right knee pain.

7. Plaintiff's right knee pain persisted and worsened overtime.
8. On October 5, 2020, Plaintiff presented at Dr. Gross's office with reports of right knee pain. After evaluating Plaintiff, Dr. Gross noted that “[t]he patient continues to complain of some pain in her right knee after her right total knee arthroplasty.” (Exhibit A). Dr. Gross further noted that:

CT scan did not show any signs of periprosthetic fracture, dislocation, or any loosening of her components but there is the concern at this point in time that she may have aseptic loosening of her components which is causing her continued complaints. At this point in time, I do not think it is unreasonable for her to have a second opinion with Dr. Christopher Mudd, a reconstructive surgeon, and see if he has any other recommendations with regards to her knee at this point in time. (*Id.*).

9. Two days later, on October 7, 2020, Dr. Mudd evaluated Plaintiff for her right knee pain.
10. On November 2, 2020, Dr. Mudd diagnosed Plaintiff's knee pain as a result of mechanical loosening of her internal right knee prosthetic joint and recommended a revisions of Plaintiff's right total knee arthroplasty.
11. On January 8, 2021, Dr. Mudd preformed on Plaintiff a revision right total knee arthroplasty. More specifically, he revised Plaintiff's entire Attune knee to a Stryker Triathialon revision knee because there was mechanical loosening of Plaintiff's Attune knee.
12. Depuy's Attune knee system utilized by Plaintiff's surgeon, Dr. Gross, during the October 24, 2017, right knee arthroplasty failed and was unsafe or otherwise unfit for the purpose for which it was
13. Venue is proper in St. Clair County, Illinois.

**COUNT I**  
**Strict Liability**

14. Plaintiff reincorporates and realleges paragraphs 1 through 14 as if fully set forth herein.

15. At all times relevant and material hereto, the knee component that was manufactured and distributed by Depuy, was defective as to design, manufacture and warnings, causing the knee replacement implant to be in a dangerous and defective condition that made it unsafe and otherwise unfit for its intended use.

16. As a direct and proximate cause of the defective and dangerous condition described above, the knee prothesis utilized in surgery performed by Dr. Gross delaminated or otherwise malfunctioned.

17. Further, as a direct and proximate result of the defective and dangerous condition of Depuy's knee component, Plaintiff has been caused to suffer, bodily injury, pain and suffering, medical and nursing care and treatment, additional surgery, permanent injury, mental anguish, and Plaintiff's damages are permanent and will continue into the future.

WHEREFORE, Plaintiff prays for the following relief.

1. Judgment against the Defendant, on Count I in an amount in excess of Fifty Thousand Dollars (\$50,000.00) which will reasonably and adequately compensate Plaintiff for Plaintiff's injuries, plus costs of suit; and

2. For such other and further relief as may, in the premises, be just and proper.

PLAINTIFF DEMANDS TRIAL BY JURY OF COUNT I OF THIS COMPLAINT.

**COUNT II**  
**NEGLIGENCE**

18. Plaintiff reincorporates and realleges paragraphs 1 through 14 as if fully set forth herein.

19. The knee component manufactured and distributed by Depuy was unfit or the purpose for which it was intended and was otherwise defectively manufactured and designed, such that it malfunctioned, leading to the complications suffered by Plaintiff.

20. Depuy distributed the knee component with the knowledge that it would be used without inspection for its defects.

21. The defective design and manufacture of the knee component was known or should have been known to Depuy, and Depuy should have corrected said defects.

22. As a direct and proximate result of the defective and dangerous condition of Depuy's knee component, Plaintiff has been caused to suffer bodily injury, pain and suffering, medical and nursing care and treatment, additional surgery, permanent injury, mental anguish, and Plaintiff's damages are permanent and will continue into the future.

WHEREFORE, Plaintiff prays for the following relief.

1. Judgment against the Defendant, on Count II in an amount in excess of Fifty Thousand Dollars (\$50,000.00) which will reasonably and adequately compensate Plaintiff for Plaintiff's injuries, plus costs of suit; and

2. For such other and further relief as may, in the premises, be just and proper.

PLAINTIFF DEMANDS TRIAL BY JURY OF COUNT II OF THIS COMPLAINT.

**JURY DEMAND**

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS OF THE ABOVE-ENTITLED ACTION.

LAW OFFICE OF CHRISTOPHER CUETO, LTD

By: s/James E. Radcliffe  
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Attorneys for Plaintiffs

Electronically Filed  
Kahalah A. Clay  
Circuit Clerk  
Ashley Doughty  
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IN THE CIRCUIT COURT OF  
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MARY ROBBINS; )  
Plaintiff, ) Case No. 21L0975  
vs. )  
DEPUY ORTHOPAEDICS, INC. )  
Defendant. )

AFFIDAVIT

This affidavit is made pursuant to Supreme Court Rule 222(b). Under penalties of perjury as provided by §1-109 of the Code of Civil Procedure, the undersigned certifies that the money damages sought by the plaintiffs herein does exceed \$50,000.00.

Respectfully submitted,

s/James E. Radcliffe  
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7110 West Main Street  
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